

OPINION 582

VALIDATION OF THE GENERIC NAME *PLEUROTOMARIA* AS FROM DEFRANCE, 1826 (CLASS GASTROPODA)

RULING.—(1) The request for the use of the plenary powers to validate the generic name *Pleurotomaria* J. Sowerby, 1821 is hereby refused on the grounds that the name is technically unavailable.

(2) Under the plenary powers :

(a) the generic name *Pleurotomarium* de Blainville, 1825, is hereby suppressed for the purposes of the Law of Priority but not for those of the Law of Homonymy ;

(b) the specific name *similis* [sic] J. Sowerby, 1816, as published in the binomen *Trochus similis*, is hereby suppressed for the purposes of both the Law of Priority and the Law of Homonymy.

(3) It is hereby directed that the nominal species *Trochus anglicus* J. Sowerby, 1818, is to be interpreted by reference to the neotype designated therefor by L. R. Cox, 1955.

(4) The generic name *Pleurotomaria* Defrance, 1826 (gender : feminine), type-species, by subsequent designation by S. P. Woodward, 1851, *Trochus anglicus* J. Sowerby, 1818, is hereby placed on the Official List of Generic Names in Zoology with the Name No. 1392.

(5) The following specific names are hereby placed on the Official List of Specific Names in Zoology with the Name Numbers specified :

(a) *anglicus* J. Sowerby, 1818, as published in the binomen *Trochus anglicus* (to be interpreted as directed in (3) above) (type-species of *Pleurotomaria* Defrance, 1826) (Name No. 1700) ;

(b) *similis* J. Sowerby, 1817, as published in the binomen *Trochus similis* (Name No. 1701).

(6) The following generic names are hereby placed on the Official Index of Rejected and Invalid Generic Names in Zoology with the Name Numbers specified :

(a) *Pleurotomaria* J. Sowerby, 1821 (a name published without sufficient definition or indication under the Code) (Name No. 1316) ;

(b) *Pleurotomaria* Ferussac, 1822 (a *nomen nudum*) (Name No. 1317) ;

(c) *Pleurotomarium* de Blainville, 1825 (suppressed under the plenary powers in (2)(a) above) (Name No. 1318) ;

(d) *Pleurotomaria* Carpenter, 1861 (an erroneous subsequent spelling of *Pleurotomaria* Defrance, 1826) (Name No. 1319).

(7) The specific name *similis* [sic] J. Sowerby, 1816, as published in the binomen *Trochus similis* (suppressed under the plenary powers in (2)(b) above) is hereby placed on the Official Index of Rejected and Invalid Specific Names in Zoology with the Name No. 608.

(8) The family name PLEUROTOMARIIDAE (correction by King, 1850, of PLEUROTOMARIAE) Swainson, 1840 (type-genus *Pleurotomaria* Defrance, 1826)

is hereby placed on the Official List of Family-Group Names in Zoology with the Name No. 286.

(9) The family name PLEUROTOMARIAE Swainson, 1840 (an invalid original spelling for PLEUROTOMARIIDAE) (type-genus *Pleurotomaria* DeFrance, 1826) is hereby placed on the Official Index of Rejected and Invalid Family-Group Names in Zoology with the Name No. 324.

HISTORY OF THE CASE (Z.N.(S.) 604)

The present case was first brought to the notice of the Commission in a letter dated 17 September 1951 from Dr. L. R. Cox to Mr. Hemming (then Secretary to the Commission). Dr. Cox's final draft of his application was submitted in 1954. It was sent to the printer on 22 November 1954 and was published on 31 January 1955 (*Bull. zool. Nomencl.* 11 : 21-27).

Dr. Cox's application was supported by the late Dr. W. J. Arkell (*ibid.* : 272), by Dr. D. T. Donovan (University of Bristol, England) and by Dr. J. Marwick (Geological Survey of New Zealand). In June 1955 Professor J. Chester Bradley objected to the proposals on technical grounds, and after correspondence between Dr. Cox, Professor Bradley, and the Office of the Commission, Dr. Cox revised his original proposals. These matters are explained in the following report prepared for the Commission by Mr. R. V. Melville, then Assistant Secretary to the Commission :

"This report presents to the Commission revised proposals for using the plenary powers in the case of the generic name *Pleurotomaria* (Class Gastropoda). The original application, by Dr. L. R. Cox (British Museum (Natural History), London), was published in *Bull. zool. Nomencl.* 11 : 21-27, and had as one of its principal objects the attribution of the generic name to J. Sowerby, 1821, because Sowerby is customarily regarded as the author of the name. Sowerby, however, published the name in such a doubtful and conditional manner that it appeared necessary to use the plenary powers to validate the name as from his work and date. The question of the availability of names published in a conditional manner was clearly one of principle, and it was dealt with by the Commission in Declaration 24 (*Ops. Decls.* 13 : xvii-xxvi), which provided that names published conditionally are to be considered as available. The London (1958) Congress ratified this provision, but restricted its application to names published before the date of publication of the new Code. This does not, however, affect the status of the name *Pleurotomaria* J. Sowerby, 1821, and it was foreseen by Dr. Cox (paragraph 11 of his application) that if such a Declaration were adopted, the generic name *Pleurotomaria* J. Sowerby, 1821, would be automatically made available without recourse to the Plenary Powers.

"2. Dr. Cox's application was supported by the late Dr. W. J. Arkell (University of Cambridge, England), by Dr. D. T. Donovan (University of Bristol, England), and Dr. J. Marwick (Geological Survey of New Zealand). Professor J. Chester Bradley (President of the Commission), however, considered that the application was defective on technical grounds. The point at issue is the application of the word 'conditional', and it must surely be conceded

that this applies only to the adoption of a given name by a given author, not to the description or indication upon which the name rests. In the present case, Sowerby's description itself is of a conditional nature—that is, it is not clear that any given character is diagnostic of the genus—while his adoption of the name is also conditional. The latter point is one of nomenclature, but the former is one on which infinite argument is possible, and on which no satisfactory determination of the nominal genus can be made. It follows that a ruling under Declaration 24 that would adequately cover Sowerby's conditional adoption of the name would not meet the argument that he had not provided the name with a description, definition or indication sufficient to make the name available.

“ 3. A further difficulty in this connection is that the single species mentioned in connection with *Pleurotomaria* by J. Sowerby, 1821, was only doubtfully referred to the genus. Dr. Cox took the view that this species (*Trochus gibsi* J. Sowerby) was therefore not eligible to be the type-species of the genus, and in this he was certainly correct, from the point of view of original designation or indication of the type-species. It was not, however, made clear in the original application that the effect of this conclusion was to render *Pleurotomaria* a genus proposed without any originally included species, and this again turns attention to the question of whether the generic name acquired availability as from Sowerby's publication in 1821. Some authors have taken the view (a) that the generic name is to be attributed to J. Sowerby, 1821, and (b) that *Trochus gibsi* is therefore the type-species by monotypy. Others have concluded that the generic name should be attributed to the next subsequent author (Defrance, 1826) and have determined the type-species accordingly (*Trochus anglicus* J. Sowerby, 1818, by selection by S. P. Woodward, 1821). Dr. Cox stands between the two, in that he wishes the generic name to be attributed to J. Sowerby, 1821, while accepting *Trochus anglicus* as the type-species.

“ 4. The difference in effect between accepting *Pleurotomaria* as available on the one hand from J. Sowerby, 1821, and on the other hand from Defrance, 1826, is, that in the former case *Pleurotomarium* de Blainville, 1825, becomes a junior subjective synonym, and in the latter a senior subjective synonym. Dr. Cox states (paragraph 5 of his application) that he knows of only one use of this name since its original application, and the present writer is happy to vouch from many years experience, for the thoroughness of Dr. Cox's knowledge of the literature of his subject. Stability of nomenclature would not be served if *Pleurotomaria* were to be rejected in favour of *Pleurotomarium*, with the consequent necessity of changing the gender of a very large number of specific names.

“ 5. The choice is thus simply between (a) validating *Pleurotomaria* from some author and date prior to de Blainville, 1825, or (b) taking steps to suppress the earlier names so as to validate the generic name as from Defrance, 1826, a usage which provides a type-species in full accord both with the Code and with a majority of current practice. The use of the plenary powers to suppress *Pleurotomarium*, which would be an essential part of the second course, would, according to paragraph 12 of Dr. Cox's application, be opposed by certain

specialists. In correspondence, however, he has assured me that no specific objection to this has been actually expressed to him, and that he chose the approach presented in his application partly because of the known objection in principle by one international specialist in fossil Gastropoda to the suppression of any name whatsoever. The Commission cannot, I think, accept such a view as justified in general, while in this particular case, it obstructs the simplest path to stability. Dr. Cox himself agrees that it would be simpler to validate *Pleurotomaria* as from Defrance, 1826 by suppressing *Pleurotomarium* de Blainville, 1825, than it would be to pursue his original application in favour of *Pleurotomaria* J. Sowerby, 1821.

"6. Professor Chester Bradley requested clarification of two further points in this case. The first concerns the status of *Pleurotomaria* Ferussac, 1822, claimed by Dr. Cox to be a *nomen nudum*, and thus meet to be rejected whichever of the two courses outlined above is chosen for *Pleurotomaria*. Professor Chester Bradley asks whether this name, which was proposed in a systematic table, was not thereby provided with a sufficient statement of characters to make it available. Members of the Commission are assured that the words 'systematic table' are properly chosen here, and are not synonymous with 'key', and that no basis for *Pleurotomaria* was provided by Férussac other than the mere citation of the names of higher categories in the same table.

"7. Professor Chester Bradley's second point related to the necessity of designating a neotype for *Trochus anglicus* J. Sowerby, for Dr. Cox had demonstrated only the loss of the figured syntypes, and had not shown that the unfigured specimens that must have been the basis of Sowerby's locality citations were also lost. Dr. Cox has now stated in correspondence that these unfigured specimens are also lost, so that, from this technical point of view, it is legitimate to use the neotype method in this case."

DECISION OF THE COMMISSION

On 31 July 1959 Voting Paper (59)8 was circulated to the members of the Commission with the above report, and the members were invited to vote for or against the proposals set out in *Bull. zool. Nomencl.* 11 : 25-26, as modified in the report. These proposals were put forward precisely in the form set out in the Ruling given above, and in that form they were approved by the Commission. At the close of the Voting Period on 31 October 1959, the state of the voting was as follows :

Affirmative Votes—twenty-seven (27) received in the following order : Holthuis, Vokes, Boschma, Hering, Riley, Mertens, Hemming, do Amaral, Jaczewski, Bodenheimer, Miller, Mayr, Prantl, Dymond, Lemche, Hankó, Bonnet, Obruchev, Key, Uchida, Brinck, Bradley, Kuhnelt, Tortonese, Cabrera, Stoll, Poll.

Negative Votes—none (0).

Leave of Absence—none (0).

Voting Papers not returned—none (0).

ORIGINAL REFERENCES

The following are the original references for names placed on Official Lists and Indexes by the Ruling given in the present Opinion :

anglicus, *Trochus*, J. Sowerby, 1818, *Min. Conch.* 2 : corrigenda

Pleurotomaria Carpenter, 1861, *Ann. Rep. Regents Smithsonian. Inst.* 1860 : 218

Pleurotomaria J. Sowerby, 1821, *Min. Conch.* 3 : 139

Pleurotomaria Férussac, 1822, *Tabl. systemat.* : xxxiv

Pleurotomaria Defrance, 1826, *Dict. Sci. nat.* 41 : 381

Pleurotomarium de Blainville, 1825, *Man. Malac.* : 429

PLEUROTOMARIAE Swainson, 1840 (an incorrect original spelling for PLEUROTOMARIIDAE)

PLEUROTOMARIIDAE (correction by King, 1850, *Permian Foss. England (Palaeont. Soc.)* : 213 of PLEUROTOMARIAE) Swainson, 1840, *Treatise Malac.* : 353

similis, *Trochus*, J. Sowerby, 1817, *Min. Conch.* 2 : 179, pl. 181, fig. 2

similis, *Trochus*, J. Sowerby, 1816, *Min. Conch.* 2 : 95, pl. 142

The following is the original reference for the designation of a type-species for a nominal genus involved in the present Ruling :

For *Pleurotomaria* Defrance, 1826 : Woodward, S. P., 1851, *Man. Mollusca* : 147

The following is the original reference for the designation of a neotype for a nominal species involved in the present Ruling :

For *Trochus anglicus* J. Sowerby, 1818 : Cox, L. R., 1955, *Bull. zool. Nomencl.* 11 : 27

CERTIFICATE

WE certify that the votes cast on Voting Paper (59)8 were cast as set out above, that the proposals set out in the voting paper have been adopted under the plenary powers, and that the decision so taken, being the decision of the International Commission, is truly recorded in the present Opinion No. 582.

N. D. RILEY

Hon. Secretary

W. E. CHINA

Assistant Secretary

International Commission on Zoological Nomenclature

London

8 January 1960